

30.03.2023

29

Ct. No. 29

KAUSHIK

Allowed

C.R.M.(A) 1336 of 2023

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Andal** Police Station Case No. **507** of **2022** dated **29.12.2022** under Sections 498A/302/120B/34 of the Indian Penal Code, 1860 and Sections 3/ 4 of the Dowry Prohibition Act.

And

In Re : Abhijit Gorai @ Bappa & Ors.

..... petitioners

Mr. Monish Sen

Ms. Oisani Mukherjee

....for the petitioners

Mr. S. G. Mukherjee, learned Public Prosecutor

Mr. Aniket Mitra

....for the State

The post mortem report of the victim suggests that the death was due to the effects of hanging.

In the column of injury, it was noted that there was an oblique non-continuous ligature mark.

The husband was enlarged on bail by the Jurisdictional Court.

The petitioners before us are the in-laws.

Police are yet to conclude the investigations.

Considering the nature of death of the victim and the materials in the case diary and considering the fact that the husband was enlarged on bail by the Jurisdictional Court, we grant anticipatory bail to the petitioners.

Accordingly, we direct that in the event of arrest the petitioners shall be released on bail upon furnishing a bond of Rs.10,000/- each, with two sureties of like amount each, to the satisfaction of the arresting officer and also be subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and on further condition that the petitioner no. 1 (Abhijit Gorai @ Bappa) shall meet the Investigating Officer once a month till the conclusion of the investigation and petitioner nos. 2 (Tinku Gorai) and 3 (Banalata Gorai) shall cooperate with the Investigating Officer till the conclusion of the investigation and on condition that the petitioners shall appear on every date before the jurisdictional Court on and from the date fixed for appearance of the accused and in default the jurisdictional Court will pass appropriate order to secure the presence of the petitioners in Court including cancelling the anticipatory bail granted without further reference to this Court.

This application for anticipatory bail is, thus, allowed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)

